

THE KERALA STATE WAKF BOARD**NOTIFICATION**

No. C1-1833/84.

Ernakulam, 9th May 2014.

In exercise of the powers conferred under Section 27 of the Wakf Act 1995 (Central Act No. 43 of 1995) the Kerala State Wakf Board hereby delegates the following powers of the Board to the Chairman, Chief Executive Officer and other officers of the Board and certain powers of the Chief Executive Officer under the Wakf Act 1995 and the Kerala Wakf Rules 1996 with the consent of Chief Executive Officer to the Officers of the Board as per the schedule given below:

SCHEDULE

	<i>Powers under the Wakf Act 1995</i>	<i>Powers under the Kerala Wakf Rules 1996</i>
Chairman	<p>The power to exercise the powers and perform the duties of the Board under the Act in emergent cases except the powers and functions of the Board mentioned under clauses I (d) (g) and (j) of sub section 2 of Section 32, Section 51, Section 64 and Section 110 (Except the matters in which the Act prescribes consent of a specific majority of the Board)</p> <p>To conduct preliminary hearing at Divisional Offices or Head Office at Ernakulam under section 70 in respect of the applications/petitions filed before the Board.</p> <p>To hear and decide appeals filed under section 72(7) of the Wakf Act 1995.</p> <p>The Chairperson should report the action taken by him to the Board for their approval in the next meeting of the Board.</p>	
Chief Executive Officer	<p>To terminate, tenancy, lease or licence under Section 3 (ee) of Wakf Act 1995</p> <p>To implement the decisions of the Board by conveying it to the District Collectors, Additional District Magistrates or Sub Divisional Magistrates whenever necessary and to seek direction from the Wakf Tribunal as provided Under Section 28 of the Wakf Act 1995.</p> <p>The powers and duties under proviso to sub section (3) of Section 29, 30(1), 32(2) (b) (c) (h) (i) (k) (l) (m) (n), 32(4), 33(1), 34(7), 38(6), 40 (3) and (4), 52A, 58(1), (2), 59, 77(2), 82, 90, 91, 92 of Wakf Act, 1995.</p>	Powers under Rule 95B (2) of Kerala Wakf Rules 1996
Senior Superintendent, Head Office, Ernakulam	<p>The powers and duties under proviso to sub section (3) of Section 29, 30(1), 32(2) (a) (f) (h) (i) (k) (l) (m) (n), 33(1), 34, 36(6), (7), 37, 40(3) and (4), 41(except amending the register), 44(3) (4), 47(1) (a) (b), 49(1) (2), 58(1), (2), 60, 72(4) and (6), 77(2), 90, 91, 92 of Wakf Act, 1995.</p> <p>The Senior Superintendent shall represent before different courts and file pleadings, affidavits etc. on behalf of the Board as provided under Rule 1 of Order 28 C.P.C.</p>	<p>Rule 67 (3), 69, 71 (2) (3) and (4), 73,74,75,76,88 (3) and (8) of Kerala Wakf Rules 1996</p> <p>To sign communications on behalf of the Board as provided under Rule 113 of Kerala Wakf Rules 1996 as and when assigned by the Chief Executive Officer.</p>

	<i>Powers under the Wakf Act 1995</i>	<i>Powers under the Kerala Wakf Rules 1996</i>
Confidential Assistant	Section 77(2) of Wakf Act 1995 (To deal with the Grand fund of Social Welfare Scheme and Loan Scholarship Account)	Rule 88 (3) (To deal with the Grand fund of Social Welfare Scheme and Loan Scholarship Account) and to sign communications on behalf of the Board as provided under Rule 113 of Kerala Wakf Rules 1996 as and when assigned by the Chief Executive Officer.
Divisional Officers in charge of Divisional offices of the Board	The powers and duties under Sections 29, 30(1), 32(2) (a) (f) (h) (i) (k) (l) (m) (n), 33(1), 34, 36(6), (7), 37, 40(3) and (4), 41 (except amending the register), 44(3) (4), 47(1) (a) (b), 49(1) (2), 58(1), (2), 59, 60, 72(4) and (6), 77(2), 90, 91, 92 of Wakf Act, 1995. To file complaints before the courts under Section 52(A) and 61 of the Wakf Act for prosecution	Rule 67 (3), 69, 71 (2) (3) and (4), 73, 74, 75, 76, 88 (3) and (8) of Kerala Wakf Rules 1996 To sign communications on behalf of the Board as provided under Rule 113 of Kerala Wakf Rules 1996 as and when assigned by the Chief Executive Officer.
Junior Superintendents	To file complaints before the courts under Section 52(A) and 61 of the Wakf Act for prosecution.	
Legal Assistants	To file complaints before the courts under Section 52(A) and 61 of the Wakf Act for prosecution To scrutinize the rent deeds and documents.	To sign Notices on behalf of the Board as provided under Rule 113 of Kerala Wakf Rules 1996 as and when assigned by the Chief Executive Officer
Head Clerks	To file complaints before the courts under Section 52(A) and 61 of the Wakf Act for prosecution To scrutinize the rent deeds and documents.	

All the prior notifications issued by the Board delegating the powers of the Board to the Chairman, Chief Executive Officer, Senior Superintendents and Officers in charge of the Divisional Offices are hereby cancelled.

(Sd.)

Chief Executive Officer.

Explanatory Note

(This does not form part of the notification, but is intended to indicate the general purport.)

The Kerala State Wakf Board had delegated some of its powers to the Chairman, Chief Executive Officer, Senior Superintendents and officers in charge of Divisional Offices of the Board all over the State by separate notifications and in different periods. It is necessary to revise the powers delegated as the Wakf Act 1995 is amended as per The Wakf (Amendment) Act 2013 (No. 27/2013) and also to consolidate all the notifications issued earlier in a single notification for administrative convenience.

This notification is intended to achieve the above objects.